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423 622 In his tenure of land every Nyakyusa man is related to some chief who is his overlord. But their relationship is not confined to the single element of land-tenure, it is just as many-sided and complex as is any other human relationship ; and even as we abstract from it the particular set of facts that immediately concerns us here we must at once refer them again to it if they are to be intelligible.

166 423 622 [427] When a newcomer is received into a village and given land the chief, as we have seen, is normally a party to the villagers' action, and in most cases he himself ceremonially welcomes the newcomer if he comes from outside the chiefdom by sending to him a present of cooked food. He has gained a new subject and his power and prestige are thereby increased. As men are quite free to move from one tiny chiefdom to another and as land is still relatively plentiful the phenomenon of rent does not exist among the pagan Nyakyusa, there is no direct charge ever specifically made in return for the right to build and cultivate. Nevertheless a chief is a chief and his subjects' land is his as well as theirs and they are under certain obligations to him.

622 554 [585] Among these obligations that of providing cooked food for the ceremonies of the chief's own immediate family is probably the most important. When a chief's daughter, for example, is getting married women from all over the chiefdom bring food to entertain the bridegroom and his friends on the day that they bring the bulk of the cattle. The obligation to bring food, though not a legal one, is both reciprocal and conventional. The chief is expected to kill one or two of the beasts to feed his people and if he is mean about this, killing one where he should have killed two, then on the next occasion his people are more reluctant [626] to bring food. But there is also the sense of shame constraining individuals. If the majority of households in a village provide food for a chief on such an occasion, and the majority I think nearly always do so, then the shameful meanness and unconventionality of defaulters is the subject of adverse comment among them.

A chief also has the traditional right, still widely admitted to-day, to send and take food, especially milk and bananas, from his subjects if he has need of it. And we have seen already that men with more than one wife are prompted to retain *busongo* bananas for themselves in order to meet his demands without upsetting the peace of their households. This [177] traditional right however is known not to be admitted by the European Administration, on the grounds that a salary has taken its place, and is therefore beginning to fall into disuse. Chiefs, I was told, often fear to exercise it lest some man refuse obedience and take a complaint to the *Boma*, nor are they willing to confine their demands to those men of whose compliance they are certain. As the salary of an ordinary chief,

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425 622 624 him if it was his idea that the village should die out and leave him, the great-commoner, without men? As he had moved, the great-commoner would have continued, the place was presumably distasteful to him and it had now been allotted to another man. The claim would certainly have been disallowed!"

425 797 427 The examples in this paper have been taken almost entirely from pagan families. For Christians the situation is very much the same except where they live actually on mission land, there they are tenants of the Mission concerned and pay rent to it. And Christians, wherever they live, tend to be more stable in their occupation of land, since they are not forever moving in fear of witchcraft.

7. *CONCLUSION*

178 423 I have striven in this paper to make the individual land-rights possessed by Nyakyusa to-day intelligible to the European reader and to demonstrate to him their determining factors. Of these factors the following are the most important. The Nyakyusa were until recently an isolated and primitive people and so bring with them into the modern world a legal tradition based upon small social groups. This tradition is being inevitably modified both in theory and practice under modern conditions, but not out of all recognition; for they are still a relatively isolated people and the system of indirect rule secures them, in general, against arbitrary legal changes. Within their legal system individuals have, as in any system they must have, certain precisely defined and enforceable rights—among them rights in land.

Many kinds of land, however, are plentiful, though less so than of old owing to the growth of population, the opening of new markets for food and the recent introduction of ploughs. And this cheapness of land is reflected at times in a lack of rigour in the enforcement of rights in it which is unfamiliar to the European observer. Sufficient land for all is a fundamental condition of Nyakyusa society in its present form, which has no place for a landless man.

[166 690] And, finally, the habitual movement of men with their families from one village to another to escape the witchcraft of their neighbours leads to a constant transfer of homesteads and gardens and is the main cause of difficulty in the administration of their laws of property in land and trees. This difficulty is greatest in the case of the newly introduced coffee trees which need continuous tending.